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SUBJECT: UNESCO - SOCIAL AND HUMAN SCIENCES SECTORS' SEARCH FOR NEW
"RIGHTS"

1. DCM and health attach had a frank exchange of views March 31 with Wataru Iwamoto, Division Director of UNESCO's Social and Human Sciences (SHS) sector. The meeting was organized at the request of Mr. Iwamoto who was tasked by the Director General (DG) to elicit Mission concerns about two SHS programs that were raised recently by Ambassador Oliver when she met with the DG. The two programs raised by the Ambassador were "right to the city" and "migration without borders."

2. As Mr. Iwamoto understood it, the basis of the Ambassador's concerns was that the SHS description of the "right to the city" cited only Marxist philosopher Henri Lefebvre as its inspiration. He assured us that all mention of Lefebvre had been removed from their documents on this subject (although of course they could not remove a reference that others might make). We explained that our concern was actually the reverse; that we were concerned about UNESCO's giving support to the notion of a "right to the city," and that indeed the SHS discussion of the "right to the city" referred to a number of documents, not just the work of Lefebvre. We mentioned as one of them the International NGOs' Charter on the Right to the City, adopted at the World Social Forum in 2005, and pointed out that it contains very detailed, legislative-like text. Mr. Iwamoto did not seem to be aware of this document.

3. Mr. Iwamoto quickly pointed to the speech he had given at a Barcelona meeting (March 27-28) in which he had said he wanted "to make it quite clear that UNESCO has no intention of proposing a global instrument on 'The Right to the City.'" We expressed appreciation for this, and said it was important to put this on the web site, but that this could not overcome all the other statements on the web site suggesting that in fact UNESCO was working toward a normative instrument.

4. We pointed out that "rights" could be "created" only by normative instruments, that the DG had called for a pause in developing normative instruments, and that we did not think UNESCO should be trying to do create rights for countries by normative instruments. He agreed with us and assured us that there was no intent to create normative instruments-just to share best practices. We responded that the material on the web site definitely gave the impression that SHS was trying to develop a normative instrument; we quoted the provision in the SHS letter of December 22 that accompanied the "right to the city" survey saying that UNESCO and UN-Habitat are working "towards a global normative instrument about citizenship rights in the city." Mr. Iwamoto seemed chagrined.

5. We pointed out that there was an assumption behind SHS' activities that "creating" new rights was the best way to help people and that merely putting the issue in those terms presented only one point of view. The goal is to have a better life for people-and that could better be done by ensuring opportunity than by a rights based culture. We expressed concern that the SHS view of a "right to the city" assumed the failed socialist point of view.

6. Mr. Iwamoto said that the lead on this was being taken by UN-Habitat and that it was not clear how UNESCO could stop its participation in light of its agreement with UN-Habitat. In a subsequent communication he informed us that the U.S. participated in the right to the city through UNHabitat.

7. We also discussed SHS activities in connection with "the right to migration." We emphasized how repugnant this effort-and the notion behind it-are to the U.S. We said that we doubted Member States had authorized the Secretariat to pursue efforts that would negate their sovereignty and control of borders. He agreed that Member States should determine the work that the Secretariat does, and that the Secretariat should not undertake efforts without their prior direction. He said again that there was no intention to create a normative instrument and understood countries' need and right to protect their own borders.

8. He said there was no intention to support "migration without borders." We pointed out, however, that UNESCO had just been awarded the Mediterranean Without Borders prize (by the Italian province of Agrigento) for its work on migration. He seemed non-plussed at this. Mr. Iwamoto said that perhaps this project could deal with a country's treatment (e.g., health care, voting) of people who immigrated there. We said that this was a matter for national governments, and also pointed out that there was in effect a market protection; people could choose where they wanted to go and tended to go to countries where they were satisfied with how they were treated.

9. Comment: Mr. Iwamoto had obviously been sent by his superiors to test our position and perhaps to see if we would accept as sufficient conclusory assurances that there was no intention to do normative instruments. We were quite frank and direct in stating the U.S. objection to these projects, as they now appear to be designed, and in questioning SHS' authority to undertake them. On several occasions we said that perhaps the things we were concerned about predated his joining SHS and were not his responsibility (and, implying they were beyond his knowledge as well).

10. At Mr. Iwamoto's request we met again with him and with Paul de Guchteneire, section chief of migration and multicultural issues, on April 20. De Guchteneire explained that they had removed references to a right to migration on their web site. He said that UNESCO was not advocating such a right, but doing research on what would be the implications if this should occur. He agreed that states would, and should, maintain control of their borders. When asked why, then, UNESCO was examining a situation that would not occur, he said this was a subject of vigorous academic debate and, besides, the EU in fact is moving to create immigration without borders. We emphasized again the strong concern of the U.S. about the project and pointed out that the discussion of migration without borders as a possibility implied support for the concept. We also asked whether this effort duplicated the work of other UN agencies; they responded that UNESCO was working closely with the International Organization for Migration on this project. We checked with the Mission in Geneva and were told that there is no such cooperative project.

OLIVER